



GENERAL PURPOSES COMMITTEE

MEETING : Tuesday, 12th January 2021

PRESENT : Cllrs. Williams (Chair), Taylor (Vice-Chair), Coole, Field, Hilton, Lewis, D. Norman and Stephens

Others in Attendance

Managing Director

Corporate Director

Business Transformation Manager (Planning)

City Centre Manager

Democratic Services and Elections Officer

1. APPOINTMENT OF CHAIR AND VICE CHAIR

The Committee noted the appointments made by Annual Council of Councillor Williams as Chair and Councillor Taylor as Vice-Chair of the Committee.

2. DECLARATIONS OF INTEREST

During Item 7, Councillor Taylor declared a personal interest as grammar schools were mentioned and he is employed at one.

3. MINUTES

The minutes of the meeting held on 14 January 2020 were confirmed as a correct record and would be signed by the Chair in due course.

4. PUBLIC QUESTION TIME (15 MINUTES)

There were no public questions.

5. PETITIONS AND DEPUTATIONS (15 MINUTES)

There were no petitions and deputations.

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6. CONSTITUTIONAL CHANGES

The Committee considered the report of the Head of Paid Service concerning the proposed changes to the Council's Constitution to reflect a change to the functions of full Council and reviews in relation to the Codes of Practice relating to Planning and Licensing.

The Managing Director explained that he chairs an officer Corporate Governance Group that consists of statutory and key officers of the Council. One role of the Group is to review the Constitution and ensure relevant parts of the document had been updated.

The group had asked the Business Transformation Manager (Planning) and the City Centre Manager to review the Codes of Practice relating to Planning & Development and Licensing & Enforcement respectively to ensure the Codes were up to date and in line with best practice. Both officers had presented their proposed amendments for the Committee to consider and recommend to Council for approval.

The Managing Director added that an addition to Council Functions had been proposed as shown on page 16 of the report. Given the recent experience with Saintbridge Trust, it was felt beneficial for matters relating to the functions of the Council acting as a Trustee be explicitly referenced in the Constitution.

The Business Transformation Manager (Planning) outlined the main amendments in the revised version of the Planning and Development Code of Practice. She advised that the current Code had been in place since 2012 but did not reflect the current legislation. Amendments had been made to ensure continuity and the Introduction had been revised to clarify the status in relation to the Councillor Code of Conduct and the Employee Code of Conduct.

Reference to specific development plans had been removed and recent policies now included. The main change had been the inclusion of a Protocol for Planning Site Visits. This had been in place since 2017 and following a Local Government Peer Review, and it was appropriate to include this in the Code of Practice.

Councillor Coole raised concerns that it had been difficult to read the document due to the number of tracked changes that had been made. He asked why each reference made to 'Member' had been changed to 'Councillor'.

The Business Transformation Manager (Planning) advised that this change had been made to ensure consistency throughout the Constitution. She added that discussions had taken place to present Members with a schedule of amendments, however it had been agreed to present the document with tracked changes to allow Members to identify the amendments which had been made.

A number of members of the Committee agreed they found it difficult to fully assess the proposed changes with the amendments set out in the current format. Members requested a clean version of the new Code with the proposed amendments to be circulated, along with the existing version and a further meeting of the Committee be arranged.

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The Business Transformation Manager (Planning) had prepared both versions and would circulate these to the Committee for their approval.

The Corporate Director advised the Committee that the report was due to be presented to Council on 28 January 2021. In light of the timeline, he suggested if upon reviewing the alternative version of the document, Members did not have any objections, that it would not be necessary to have a meeting. If Members had any objections to the proposed amendments an additional meeting could be arranged prior to Full Council. The Chair indicated her support for the proposal.

Councillor Coole enquired on the number of Committee Members required to hold a meeting. The Corporate Director advised that the threshold should be more than one Member. In response to Councillor Coole's concerns about the process, the Corporate Director advised that if the Committee were not in a position to approve the report to Council at the present time, there was nothing to prevent them from agreeing a recommendation that indicated support, subject to considering the proposals in an alternative format. If that resulted in any concerns they could be addressed at a subsequent meeting, but if there were no concerns, the recommendation to Council could stand.

Councillor Coole referred to the addition to Council Functions and questioned how the Council would undertake functions relating to trusts if no rules and procedures were set out in the Constitution.

The Managing Director advised that, in specific reference to the Saintbridge Trust, Councillors had instructed officers to develop a set of governance documents to clarify the Trust's rules and procedures and that any other Trusts might have, or would need, governance to suit their particular requirements. As a result it was not appropriate to set those out in detail in the City Council's constitution.

Councillor Stephens said it would be useful to list the Trusts that the Council are responsible for in the Constitution to avoid any confusion in the future. He agreed that Trustees should be responsible for adopting their own arrangements for governance working.

Councillor Hilton referred to the Introduction on page 19 of the report relating to planning applications determined under delegated powers. He suggested it would be useful to have a reference made in the introduction that highlighted the arrangements around a Ward Councillor's ability to request for a matter to be determined, subject to reasonable planning reasons, by the Planning Committee rather than under delegated powers.

The City Centre Manager presented his report and outlined the amendments made to the Licensing and Enforcement Code of Practice. He advised that minor changes had been made to the document, including around the role of the Ward Members.

Members commented that the revised Licensing & Enforcement Code of Practice had been easier to comprehend and that they were happy for it to be recommended to Council for approval.

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RESOLVED

- (1) That clean copies of the revised and original Planning and Development Code of Practices, be circulated and if two or more Councillors have any issues or concerns with the proposals they indicate their concerns so that the matter(s) can be discussed at a subsequent meeting of the Committee.

RESOLVED TO RECOMMEND TO COUNCIL

- (2) That the proposed change to Council Functions regarding trusts be approved
- (3) That a list of the trusts that the Council is responsible for be included in the Constitution.
- (4) That subject to resolution (1) above the revised Planning and Development Code of Practice be adopted and
- (5) That the revised Licensing and Enforcement Code of Practice, be adopted.

7. REVIEW OF APPOINTMENTS TO AND REPRESENTATION ON OUTSIDE BODIES

The Committee considered the report of the Corporate Director and Monitoring Officer concerning appointments to Outside Bodies.

The Corporate Director advised that the matter had arisen from the Audit & Governance Committee Work Programme. The Committee had requested a review to be undertaken to examine the Council's operation and effectiveness of appointments to Outside Bodies and if further improvements could be made to the process.

Councillors Wilson, D. Norman and Hampson had met with a number of representatives of Outside Bodies to gather information. A number of Outside Bodies had also been invited to attend the Audit and Governance Committee as part of the review process.

The report covered 3 areas for recommendation. The first finding showed that the City Council did not provide enough guidance and advice to manage the expectations of Outside Bodies and help Members be effective in their role. A draft guidance note had now been produced to help representatives on Outside Bodies. This would be included in the Constitution following the Council's endorsement of the guidance.

The second issue looked into the mechanisms in place to allow Councillors to report back on their work as appointees to Outside Bodies. The findings showed there had been a form of disengagement in this area. Following appointments made at Annual Council and there had been no feedback given on the work undertaken.

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The three new mechanisms proposed consisted of the following:

1. Produce an annual report – a template would be supplied to each representative on Outside Bodies to provide an update on the work they are undertaken
2. Provide a 15 minute slot at Council meetings to allow representatives on Outside Bodies to give an update on their work
3. Open invitation to all Outside Bodies to share their work which can be included in the Members' Bulletin

The Corporate Director referred to paragraph 3.10 of the report relating to the membership on Outside Bodies and outlined the proposed changes to appointments in respect of specific Outside Body.

Councillor Stephens raised concerns due to the substantial changes in the role of Councillors on Outside Bodies and commented this would be unfair to impose restrictions on the existing Members who had taken on the role. He suggested periodic reports should be presented to Overview & Scrutiny rather than Council.

Councillor Hilton commented that allowing a representative from an Outside Body to provide an update at a Council meeting would be beneficial. He referred to Llanthony Secunda Trust and the Gloucester United Schools Charity, which he believed were both important Trusts to retain and suggested these are included in Group B.

Councillor D Norman commented that as a member of the Audit and Governance Committee he had been involved in the process of interviewing a number of outside bodies and representatives. He agreed with Councillor Stephens that the agendas for Council meetings would need to be carefully managed by the Democratic Services Team to ensure space for Outside Body updates unduly extending meetings.

He added that following interviews with the Outside Bodies some expressed views on the role and involvement of Members and how they assisted the organisations. Councillor Norman added that Group Leaders need to ensure they nominate the correct Member who should be able to engage with the Outside Bodies. He added that some Members appointed to the role did not attend one meeting of the organisation.

General Purposes Committee **RESOLVED TO RECOMMEND TO COUNCIL** the adoption of the draft Guidance and reporting mechanisms and endorse the rationalisation of the range of existing appointments and recommend to Council that the changes are approved and incorporated into the Constitution, subject to the following amendment:

- 1) That Llanthony Secunda Trust and Gloucester United Schools Charity to be moved from Group C to Group B

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The Chair thanked the Audit & Governance Committee and the officers involved for the work undertaken on the report.

**Time of commencement: 6.00 pm hours
Time of conclusion: 6.51 pm hours**

Chair